

Calendar No. 375

103D CONGRESS
2D SESSION

S. 455

[Report No. 103-231]

A BILL

To amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

FEBRUARY 25 (legislative day, FEBRUARY 22), 1994

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, JANUARY 5), 1993

Mr. HATFIELD (for himself, Mr. BURNS, Mr. BAUCUS, Mr. CRAIG, Mr. MURKOWSKI, Mr. HATCH, Mr. BINGAMAN, Mr. WALLOP, Mr. DOMENICI, Mr. STEVENS, Mr. BROWN, Mr. EXON, Mr. JEFFORDS, Mr. BENNETT, Mr. DASCHLE, Mr. FORD, Mr. WARNER, Mr. DURENBERGER, Mr. SIMPSON, Mr. DECONCINI, Mr. CONRAD, Mr. DORGAN, Mr. BRYAN, Mr. PRESSLER, Mr. LOTT, Mr. ROBB, Mr. PACKWOOD, Mr. WELLSTONE, Mr. CAMPBELL, Mr. GORTON, Mr. INOUYE, Mrs. BOXER, Mr. KEMPTHORNE, Mrs. FEINSTEIN, Mr. McCAIN, Mr. BOREN, Mr. HEFLIN, Mr. McCONNELL, Mr. REID, and Mr. GREGG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

FEBRUARY 25 (legislative day, FEBRUARY 22), 1994

Reported by Mr. JOHNSTON, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Payments In Lieu of
5 Taxes Act”.

6 **SEC. 2. INCREASE IN PAYMENTS FOR ENTITLEMENT**

7 **LANDS.**

8 (a) INCREASE BASED ON CONSUMER PRICE
9 INDEX.—Section 6903(b)(1) of title 31, United States
10 Code, is amended—

11 (1) in subparagraph (A), by striking “75 cents
12 for each acre of entitlement land” and inserting “93
13 cents during fiscal year 1994, \$1.11 during fiscal
14 year 1995, \$1.29 during fiscal year 1996, \$1.47
15 during fiscal year 1997, and \$1.65 during fiscal year
16 1998 and thereafter, for each acre of entitlement
17 land”; and

18 (2) in subparagraph (B), by striking “10 cents
19 for each acre of entitlement land” and inserting “12
20 cents during fiscal year 1994, 15 cents during fiscal
21 year 1995, 17 cents during fiscal year 1996, 20
22 cents during fiscal year 1997, and 22 cents during
23 fiscal year 1998 and thereafter, for each acre of en-
24 titlement land”.

1 (1) in subparagraph (A), by striking “75 cents
 2 for each acre of entitlement land” and inserting “93
 3 cents during fiscal year 1995, \$1.11 during fiscal
 4 year 1996, \$1.29 during fiscal year 1997, \$1.47 dur-
 5 ing fiscal year 1998, and \$1.65 during fiscal year
 6 1999 and thereafter, for each acre of entitlement
 7 land”; and

8 (2) in subparagraph (B), by striking “10 cents
 9 for each acre of entitlement land” and inserting “12
 10 cents during fiscal year 1995, 15 cents during fiscal
 11 year 1996, 17 cents during fiscal year 1997, 20 cents
 12 during fiscal year 1998, and 22 cents during fiscal
 13 year 1999 and thereafter, for each acre of entitlement
 14 land”.

15 (b) INCREASE IN POPULATION CAP.—Section
 16 6903(c) of title 31, United States Code, is amended—

17 (1) in paragraph (1), by striking “\$50 times
 18 the population” and inserting “the highest dollar
 19 amount specified in paragraph (2)” ; and
 20 (2) in paragraph (2), by amending the table at
 21 the end to read as follows:

“If population equals—	the limitation is equal to the population times—
5,000	\$110.00
6,000	103.00
7,000	97.00
8,000	90.00
9,000	84.00

10,000	77.00
11,000	75.00
12,000	73.00
13,000	70.00
14,000	68.00
15,000	66.00
16,000	65.00
17,000	64.00
18,000	63.00
19,000	62.00
20,000	61.00
21,000	60.00
22,000	59.00
23,000	59.00
24,000	58.00
25,000	57.00
26,000	56.00
27,000	56.00
28,000	56.00
29,000	55.00
30,000	55.00
31,000	54.00
32,000	54.00
33,000	53.00
34,000	53.00
35,000	52.00
36,000	52.00
37,000	51.00
38,000	51.00
39,000	50.00
40,000	50.00
41,000	49.00
42,000	48.00
43,000	48.00
44,000	47.00
45,000	47.00
46,000	46.00
47,000	46.00
48,000	45.00
49,000	45.00
50,000	44.00.".

1 **SEC. 3. INDEXING OF PILT PAYMENTS FOR INFLATION; IN-**

2 **STALLMENT PAYMENTS.**

3 Section 6903 of title 31, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

1 “(d) On October 1 of each year after the date of en-
2 actment of the Payment in Lieu of Taxes Act, the Sec-
3 retary of the Interior shall adjust each dollar amount spec-
4 ified in subsections (b) and (c) to reflect changes in the
5 Consumer Price Index published by the Bureau of Labor
6 Statistics of the Department of Labor, for the 12 months
7 ending the preceding June 30.”.

8 **SEC. 4. LAND EXCHANGES.**

9 The second sentence of section 6902(b) of title 31,
10 United States Code, is amended by inserting before the
11 period the following: “and does not apply to payments for
12 lands conveyed to the United States in exchange for Fed-
13 eral lands”.

14 **SEC. 4. LAND EXCHANGES.**

15 Section 6902 of title 31, United States Code, is amend-
16 ed to read as follows:

17 **§6902. Authority and Eligibility.**

18 “(a) The Secretary of the Interior shall make a pay-
19 ment for each fiscal year to each unit of general local gov-
20 ernment in which entitlement land is located, as set forth
21 in this chapter. A unit of general local government may
22 use the payment for any governmental purpose.

23 “(b) A unit of general local government may not re-
24 ceive a payment for land for which payment under this Act
25 otherwise may be received if the land was owned or admin-

1 *istered by a State or unit of general local government and*
2 *was exempt from real estate taxes when the land was con-*
3 *veyed to the United States except that a unit of general*
4 *local government may receive a payment for—*

5 “(1) *land a State or unit of general local govern-*
6 *ment acquires from a private party to donate to the*
7 *United States within 8 years of acquisition;*

8 “(2) *land acquired by a State through an ex-*
9 *change with the United States if such land was enti-*
10 *tlement land as defined by this chapter; or*

11 “(3) *land in Utah acquired by the United States*
12 *for Federal land, royalties, or other assets if, at the*
13 *time of such acquisition, a unit of general local gov-*
14 *ernment was entitled under applicable State law to*
15 *receive payments in lieu of taxes from the State of*
16 *Utah for such land: Provided, however, That no pay-*
17 *ment under this paragraph shall exceed the payment*
18 *that would have been made under State law if such*
19 *land had not been acquired.”.*

20 **SEC. 5. EFFECTIVE DATE; TRANSITION PROVISIONS.**

21 (a) **EFFECTIVE DATES.—**

22 (1) **IN GENERAL.**—Except as provided in para-
23 graph (2), this Act and the amendments made by
24 this Act shall become effective on October 1, 1993
25 *October 1, 1994.*

1 (2) LIMITATION.—The amendment made by
 2 section 2(b)(2) shall become effective on ~~October 1,~~
 3 ~~1998~~ *October 1, 1999.*

4 (b) TRANSITION PROVISIONS.—

5 (1) FISCAL YEAR ~~1994~~ *1995*.—During fiscal year
 6 ~~1994~~ *1995*, the table at the end of section
 7 6903(c)(2) of title 31, United States Code, is
 8 amended to read as follows:

If population equals—	the limitation is equal to the population times—
5,000	\$62.00
6,000	58.00
7,000	54.50
8,000	51.00
9,000	47.00
10,000	43.50
11,000	42.00
12,000	41.00
13,000	40.00
14,000	38.50
15,000	37.00
16,000	36.50
17,000	36.00
18,000	35.50
19,000	34.50
20,000	34.00
21,000	33.75
22,000	33.50
23,000	33.00
24,000	32.50
25,000	32.25
26,000	32.00
27,000	31.75
28,000	31.50
29,000	31.25
30,000	31.00
31,000	30.75
32,000	30.50
33,000	30.00
34,000	29.75
35,000	29.50
36,000	29.25
37,000	28.75
38,000	28.50

39,000	28.25
40,000	28.00
41,000	27.50
42,000	27.25
43,000	27.00
44,000	26.50
45,000	26.25
46,000	26.00
47,000	25.75
48,000	25.50
49,000	25.00
50,000	24.75.".

1 (2) FISCAL YEAR ~~1995~~ *1996*.—During fiscal year
 2 ~~1995~~ *1996*, the table at the end of section
 3 6903(c)(2) of title 31, United States Code, is
 4 amended to read as follows:

"If population equals—	the limitation is equal to the population times—
5,000	\$74.00
6,000	69.50
7,000	65.00
8,000	61.00
9,000	56.00
10,000	52.00
11,000	50.50
12,000	49.00
13,000	47.50
14,000	46.00
15,000	44.50
16,000	43.50
17,000	43.00
18,000	42.00
19,000	41.50
20,000	41.00
21,000	40.25
22,000	40.00
23,000	39.50
24,000	39.00
25,000	38.50
26,000	38.25
27,000	38.00
28,000	37.50
29,000	37.25
30,000	37.00
31,000	36.75
32,000	36.25
33,000	36.00

34,000	35.50
35,000	35.00
36,000	34.75
37,000	34.50
38,000	34.00
39,000	33.75
40,000	33.25
41,000	33.00
42,000	32.50
43,000	32.25
44,000	32.00
45,000	31.50
46,000	31.00
47,000	30.75
48,000	30.50
49,000	30.00
50,000	29.50.".

1 (3) FISCAL YEAR 1996 1997.—During fiscal year
 2 1996 1997, the table at the end of section
 3 6903(c)(2) of title 31, United States Code, is
 4 amended to read as follows:

"If population equals—	the limitation is equal to the population times—
5,000	\$86.00
6,000	81.00
7,000	76.00
8,000	71.00
9,000	65.50
10,000	60.00
11,000	58.50
12,000	57.00
13,000	55.00
14,000	53.50
15,000	51.50
16,000	51.00
17,000	50.00
18,000	49.00
19,000	48.00
20,000	47.50
21,000	47.25
22,000	46.25
23,000	46.00
24,000	45.25
25,000	45.00
26,000	44.50
27,000	44.00
28,000	43.75

29,000	43.50
30,000	43.00
31,000	42.50
32,000	42.00
33,000	41.75
34,000	41.25
35,000	41.00
36,000	40.50
37,000	40.00
38,000	39.50
39,000	39.00
40,000	38.75
41,000	38.25
42,000	38.00
43,000	37.50
44,000	37.00
45,000	36.50
46,000	36.00
47,000	35.75
48,000	35.25
49,000	35.00
50,000	34.50.".

1 (4) FISCAL YEAR 1997 1998.—During fiscal year
 2 1997 1998, the table at the end of section
 3 6903(c)(2) of title 31, United States Code, is
 4 amended to read as follows:

"If population equals—	the limitation is equal to the population times—
5,000	\$98.00
6,000	92.00
7,000	86.00
8,000	80.50
9,000	74.50
10,000	68.50
11,000	66.50
12,000	64.50
13,000	63.00
14,000	61.00
15,000	59.00
16,000	58.00
17,000	57.00
18,000	56.00
19,000	55.00
20,000	54.00
21,000	53.50
22,000	52.75
23,000	52.00

24,000	51.50
25,000	51.00
26,000	50.50
27,000	50.25
28,000	50.00
29,000	49.50
30,000	49.00
31,000	48.50
32,000	48.00
33,000	47.50
34,000	47.00
35,000	46.50
36,000	46.00
37,000	45.50
38,000	45.00
39,000	44.50
40,000	44.00
41,000	43.50
42,000	43.00
43,000	42.75
44,000	42.25
45,000	41.75
46,000	41.25
47,000	40.75
48,000	40.25
49,000	39.75
50,000	39.25.".

